

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JODI C. HOHMAN *et al.*,

Plaintiffs,

Case No. 16-cv-11429

Hon. Matthew F. Leitman

v.

MAURICE EADIE *et al.*,

Defendants.

ORDER CONCERNING THE UNITED STATES'
SECOND MOTION TO DISMISS

On January 17, 2017, Defendant United States of America filed a Motion to Dismiss for Lack of Subject-Matter Jurisdiction (the "Motion"). (*See* ECF #32.)

On January 18, 2017, the Court held a telephonic status conference regarding the Motion. As directed on conference, the Court orders the following:

1. By no later than February 1, 2017, Plaintiffs shall: (a) Determine whether they can allege that Plaintiff Terry Miller, individually, was an account holder of either of the accounts listed on the September 25, 2015 Summons (attached at ECF #12-2) and (b) Communicate to the Court whether they intend to file a Second Amended Complaint containing such allegation. If Plaintiffs decide to file a Second Amended Complaint

containing the allegation, they shall do so by February 11, 2017, and they need not respond to the Motion.

2. In the event that Plaintiffs do not file a Second Amended Complaint as described above, they shall: (a) File on the docket a clean copy of the operative Amended Complaint (which currently appears in Redline Format at ECF #16-2.) In this clean copy, Plaintiffs shall either omit the claims that the Court dismissed on November 7, 2016, or include those claims but clearly designate them as having been dismissed by prior order of the Court. Plaintiffs need not eliminate any factual allegations from the Amended Complaint and (b) Respond to the Motion by February 22, 2017.

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: January 19, 2017

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on January 19, 2017, by electronic means and/or ordinary mail.

s/Holly A. Monda
Case Manager
(313) 234-5241